

SENATE JOURNAL

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IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FORTY-FOURTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 24, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senators Bayer and Cameron, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Tim Bush, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 23, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 23, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1021](#) was delivered to the Office of the Governor at 11 a.m., February 23, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 23, 2015

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

George McQuiston Jr. to the Idaho Outfitters and Guides Licensing Board, term to expire April 20, 2017.

Randy K. Doman to the Park and Recreation Board, term to expire June 30, 2020.

BAIR, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Bayer was recorded present at this order of business.

February 23, 2015

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Fish and Game appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Bob Barowsky to the Idaho Outfitters and Guides Licensing Board, term to expire May 31, 2017.

BAIR, Chairman

The Fish and Game appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 23, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [S 1057](#), [S 1058](#), [S 1098](#), and [S 1099](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1057](#), [S 1058](#), [S 1098](#), and [S 1099](#) were filed for second reading.

February 23, 2015

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

William Wellman to the State Public Defense Commission, term to expire July 1, 2017.

LODGE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 23, 2015

The JUDICIARY AND RULES Committee reports out [H 55](#) and [S 1056](#) with the recommendation that they do pass.

LODGE, Chairman

[H 55](#) and [S 1056](#) were filed for second reading.

February 23, 2015

The JUDICIARY AND RULES Committee reports out [S 1041](#) and [S 1053](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1041](#) and [S 1053](#) were referred to the Fourteenth Order of Business, General Calendar.

February 23, 2015

The EDUCATION Committee reports out [S 1086](#) and [S 1087](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1086](#) and [S 1087](#) were filed for second reading.

February 23, 2015

The HEALTH AND WELFARE Committee reports out [S 1060](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1060](#) was filed for second reading.

Senator Cameron was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 23, 2015

Dear Mr. President:

I transmit herewith [H 81](#), [HCR 6](#), [H 94](#), and [HCR 7](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 81](#), [HCR 6](#), [H 94](#), and [HCR 7](#) were filed for first reading.

February 23, 2015

Dear Mr. President:

I return herewith [S 1018](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1018](#) was referred to the Judiciary and Rules Committee for enrolling.

February 23, 2015

Dear Mr. President:

I transmit herewith Enrolled [HCR 2](#) and [H 13](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [HCR 2](#) and [H 13](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Gavin Gee was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Burgoyne, the Gubernatorial appointment of Gavin Gee as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator McKenzie was recorded present at this order of business.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Lisa Growette Bostaph was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Hagedorn, the Gubernatorial reappointment of Lisa Growette Bostaph as a member of the Commission on Pardons and Parole was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Gary Michael was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Winder, the Gubernatorial appointment of Gary Michael as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, [SCR 112](#) retained its place on the calendar for Monday, March 2, 2015.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 81](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[HCR 6](#), by Commerce and Human Resources Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

[H 94](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[HCR 7](#), by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1034](#) and [S 1035](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 76](#) and [H 85](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[S 1061](#), as amended, by Transportation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1082 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1082** passed, title was approved, and the bill ordered transmitted to the House.

S 1050 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Cameron, Johnson, Lacey, Schmidt. Total - 4.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1050** passed, title was approved, and the bill ordered transmitted to the House.

S 1014 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Cameron and Nonini disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1014** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, **S 1025** retained its place on the Third Reading Calendar for Friday, February 27, 2015.

S 1051 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1051** passed, title was approved, and the bill ordered transmitted to the House.

S 1052 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1052** passed, title was approved, and the bill ordered transmitted to the House.

S 1015, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1015**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1073 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1073** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, **S 1083** retained its place on the Third Reading Calendar for Friday, February 27, 2015.

[S 1084](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Keough, Lee, McKenzie, Schmidt. Total - 4.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1084](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1006](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1006](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1007](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1007](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1008](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1008](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1009](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1009](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1010](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate.

President Little called President Pro Tempore Hill to the Chair.

On request by Senator Heider, granted by unanimous consent, [S 1010](#) retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, [S 1070](#) retained its place on the Third Reading Calendar for Monday, March 2, 2015.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Wednesday, February 25, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary